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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/018,237

Filing Date: June 24, 2002

Appellant(s): HOGL ET AL.

Elena B. Dreszer
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 04/14/09 appealing from the Office action
mailed 09/08/2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

WO 97/10560	Renner	3-1997
WO 96/38813	Taskett	12-1996

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-24 rejected under 35 U.S.C. 103(a) as being unpatentable over Renner et al (Renner hereinafter, WO 97/10560) in view of Taskett (WO 96/38813).

Re claim 1. Renner discloses a method comprising: receiving financial account identifier information of a user at a code allocation unit (i.e., the stored value server receives the SVANs and stores them in a database, see pg 11 lines 23-25); generating an access code for the user, the access code being to identify the user to a business entity (see page 21 lines 10-25. The examiner contends that the PIN to be used with the normal bank account is the access code being used to identify the user to a business

entity); and from the code allocation unit, effecting a value transfer utilizing the financial account identifier information and the access code (i.e., In step 405, a request message to validate the funds transfer operation is created, authenticated, encrypted, and transmitted on-line to the stored value server (element 201 in FIG. 2). This generally includes steps of **encrypting the SVAN**, card balance certificate, and **PIN** (if required), and transmitting the encrypted message to the stored value server over a network with a message authentication code (MAC) provided by the SAM. The network may include DCE/Encina client/server protocols to perform these transactions. The stored value server decrypts the request, verifies the MAC, **verifies the balance certificate**, and **verifies that the SVAN from the card exists in database 201a and that the accumulated balance is not less than zero** (if so, an unauthorized revalue might have taken place and appropriate reporting may be initiated, see pg 22, lines 3-22). Renner does not explicitly disclose the access code being reflected in an amount of value associated with the value transfer so as to be transmitted to the user together with a receipt for the value transfer. However, Tasket discloses the access code (i.e., a unique ID code) being reflected in an amount of value associated with the value transfer (see page 7 lines 13-24) so as to be transmitted to the user together with a receipt for the value transfer (see page 4 lines 25-31). Thus it would have been obvious to one of ordinary skill in the art to combine the teachings of Renner and Tasket to provide added security for the user.

Re claim 2. Renner further discloses the method, wherein the value transfer is a money withdrawal transaction (see pg 21 lines 10-20)

Re claim 3. Renner does not explicitly disclose the method, wherein the generated access code is equal to the amount of money associated with the value transfer. However, Taskett further discloses wherein the generated access code is equal to the amount of money associated with the value transfer (i.e., Taskett discloses a unique ID code for accessing a prepaid telephone account service provider network, and upon receipt of the ID number, the service provider host computer interrogates its database to determine whether sufficient funds exist in the account (see pg 7 lines 13-20). Thus, the examiner contends that the unique ID number mentioned by Taskett has an associated balance/value since the service provider queries its database for sufficiency of funds based on received ID code/number).

Re claim 4. Renner further discloses the method, wherein the value transfer is a money deposit transaction (see pg 21 lines 10-20).

Re claim 5. Renner further discloses the method, wherein the effecting of the value transfer is by a remote data connection (i.e., Transmitted online, see page 22 lines 3-10)

Re claims 6, 7. Renner further discloses the method, wherein the access code is to be transmitted to the user by one or more of a remote data connection and an account balance statement printer. (i.e., Transmitted online, see page 22 lines 3-10).

Re claim 8. Renner does not explicitly disclose the method, wherein: the access code comprises at least two partial codes; and first partial code from the at least two partial codes is to be transmitted to the user together with the receipt for the value transfer and a second partial code from the at least two partial codes is to be transmitted by an

alternative method to the user. However, Tasket discloses the access code comprises at least two partial codes (i.e., the unique ID code and the replacement code, see pg 24 lines 10-30); and a first partial code from the at least two partial codes is to be transmitted to the user together with the receipt for the value transfer and a second partial code from the at least two partial codes is to be transmitted by an alternative method to the user (see the summary of the invention). Thus it would have been obvious to one of ordinary skill in the art to combine the teachings of Renner and Tasket to provide added security for the user.

Re claims 9, 10. Renner discloses the method, further comprising receiving the identification data of the user at the code allocation unit (i.e., user's bank account, see page 21 lines 10-15)

Re claim 11. Renner further discloses method, further comprising receiving the receipt for the value transfer at the allocation unit (see page 30 lines 15-20)

Re claims 12, 13-15. Renner further discloses unit machine-readable medium having instruction data to cause a machine to: receive financial account identifier information of a user (i.e., the stored value server receives the SVANs and stores them in a database, see pg 11 lines 23-25); generate an access code for the user, the access code being to identify the user to a business entity (see page 21 lines 10-25. The examiner contends that the PIN to be used is the access code being used to identify the user to a business entity); and effect a value transfer utilizing the financial account identifier information and the access code ((i.e., In step 405, a request message to validate the funds transfer operation is created, authenticated, encrypted, and transmitted on-line to the stored

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value server (element 201 in FIG. 2). This generally includes steps of **encrypting the SVAN**, card balance certificate, and **PIN** (if required), and transmitting the encrypted message to the stored value server over a network with a message authentication code (MAC) provided by the SAM. The network may include DCE/Encina client/server protocols to perform these transactions. The stored value server decrypts the request, verifies the MAC, **verifies the balance certificate**, and **verifies that the SVAN from the card exists in database 201a and that the accumulated balance is not less than zero** (if so, an unauthorized revalue might have taken place and appropriate reporting may be initiated, see pg 22, lines 3-22). Renner does not explicitly disclose the access code being reflected in an amount of value associated with the value transfer so as to be transmitted to the user together with a receipt for the value transfer. However, Tasket discloses the access code (i.e., a unique ID code) being reflected in an amount of value associated with the value transfer (see page 7 lines 13-24) so as to be transmitted to the user together with a receipt for the value transfer (see page 4 lines 25-31). Thus it would have been obvious to one of ordinary skill in the art to combine the teachings of Renner and Tasket to provide added security for the user.

Re claims 16 and 17-18. Renner further discloses the system-machine-readable medium, wherein the code allocation unit is to effect the value transfer by a remote data connection (i.e., Transmitted online, see page 22 lines 3-10)

Re claim 19. Renner does not explicitly disclose the system-machine-readable medium, wherein: the access code comprises at least two partial codes; and a first partial code from the at least two partial codes is to be transmitted to the user together with the

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receipt for the value transfer and a second partial code from the at least two partial codes is to be transmitted by an alternative method to the user. However, Tasket discloses the access code comprises at least two partial codes (i.e., the unique ID code and the replacement code); and a first partial code from the at least two partial codes is to be transmitted to the user together with the receipt for the value transfer and a second partial code from the at least two partial codes is to be transmitted by an alternative method to the user (see the summary of the invention). Thus it would have been obvious to one of ordinary skill in the art to combine the teachings of Renner and Tasket to provide added security for the user.

Re claims 20, 21. Renner further discloses the system-machine-readable medium, wherein the code allocation unit is to receive identification data of the user (i.e., user's bank account, see page 21 lines 10-15)

Re claim 22. Renner further discloses the system-machine-readable medium, wherein the code allocation unit is to receive the receipt for the value transfer (see page 30 lines 15-20)

Re claim 23. Claim 23 recites similar limitations to claim 1 and thus rejected using the same art and rationale as claim 1 supra.

Re claim 24. Renner further disclose system comprising: a receiver to receive financial account identifier information of a user; a generator generate an access code for the user, the access code being to identify the user to a business entity (see pg 21 lines 10-25); and a transfer module effect a value transfer utilizing the financial account identifier information and the access code (see pg 21 lines 10-16). Renner does not explicitly

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disclose the access code being reflected in an amount of value associated with the value transfer so as to be transmitted to the user together with a receipt for the value transfer. However, Tasket discloses the access code (i.e., a unique ID code) being reflected in an amount of value associated with the value transfer (see page 7 lines 13-24) so as to be transmitted to the user together with a receipt for the value transfer (see page 4 lines 25-31). Thus it would have been obvious to one of ordinary skill in the art to combine the teachings of Renner and Tasket to provide added security for the user.

(10) Response to Argument

In response to the appellant's argument concerning the 35 U.S.C 103 (a) rejection of claims 1, 12, 23, and 24. The appellant argues in substance that Renner fails to disclose "receiving financial account identifier information of a user at a code allocation unit;and from the code allocation unit, effecting a value transfer utilizing the financial account identifier information and the access code." Contrary to the appellant's assertion, Renner discloses receiving financial account identifier information of a user at a code allocation unit (i.e., the stored value server receives the SVANs and stores them in a database, see pg 11 lines 23-25). Thus, the SVANs (i.e., the stored value account number, see pg 25 line 4), as taught by Renner, is akin to the financial account identifier claimed by the appellant, and also the stored value server as taught by Renner is akin to the code allocation unit. Renner further discloses "from the code allocation unit, effecting a value transfer utilizing the financial account identifier information and the access code." (i.e., In step 405, a request message to validate the funds transfer operation is created, authenticated, encrypted, and transmitted on-line to

the stored value server (element 201 in FIG. 2). This generally includes steps of **encrypting the SVAN**, card balance certificate, and **PIN** (if required), and transmitting the encrypted message to the stored value server over a network with a message authentication code (MAC) provided by the SAM. The network may include DCE/Encina client/server protocols to perform these transactions. The stored value server decrypts the request, verifies the MAC, **verifies the balance certificate**, and **verifies that the SVAN from the card exists in database 201a and that the accumulated balance is not less than zero** (if so, an unauthorized revalue might have taken place and appropriate reporting may be initiated, see pg 22, lines 3-22). In other words, in Renner, the cardholder uses his PIN (i.e., access code) and stored value account number/SVAN (i.e., financial account identifier information) to carry out a value transfer. Further, in Renner, the steps of funds transfer operation (i.e., validation and authentication) involves encrypting stored value account number and the PIN (ACCESS CODE), which is akin to effecting a value transfer utilizing the financial account identifier information and the access code. For these reasons, Renner does not teach way from the subject matter of claims 1, 12, 23and 24.

In response to the appellant's argument concerning the 35 U.S.C 103 (a) rejection of claim 3. The appellant further argues that neither Renner nor Taskett discloses "the access code being reflected in an amount of value associated with the value transfer so as to be transmitted to the user together with a receipt for the value transfer." Contrary to the appellant's assertion, Taskett discloses a unique ID code for accessing a prepaid telephone account service provider network, and upon receipt of

the ID number, the service provider host computer interrogates its database to determine whether sufficient funds exist in the account (see pg 7 lines 13-20). Thus, the examiner contends that the unique ID number mentioned by Taskett has an associated balance/value since the service provider queries its database for sufficiency of funds based on received ID code/number.

In response to the appellant's argument concerning the 35 U.S.C 103 (a) rejection of claim 8. All in all, the appellant further argues that Renner fails to disclose "wherein the access code comprises at least two partial codes." Contrary to the appellant's assertion, Taskett, the secondary reference teaches two partial codes (i.e., the ID code and the replacement code, see pg 4 lines 10-30). The appellant further argues that while there may exist an association between an ID code and a replacement code, the ID code and the replacement code in Taskett are two distinct complete codes that are meant to be used for different purposes. However, this argument is moot since the appellant fails to incorporate into the claim language that the two partial codes are not distinct and are meant to be used for the same purpose. The examiner contends that although claims are interpreted in light of the specification, the specification must not be read into the claims.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

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Primary Examiner, Art Unit 3696

Conferees:
